

**TOWN COUNCIL
REGULAR MEETING
DECEMBER 18, 1996**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:03 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Cox and Councilmembers Bush, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. PRESENTATIONS

3.1 Silver Ridge Elementary School - Soundtastics Chorus

A musical presentation was provided.

A brief recess was taken and the meeting was reconvened.

3.2 Young At Art

Mr. Flatley advised that the Young At Art was a children's art museum and provided a history of the museum. An unidentified woman appreciated the support received by Mayor Venis and Mr. Flatley. She provided information on the museum and introduced the museum's board of directors.

3.3 Council Reports from Congress of Cities Conference

Mayor Venis announced that item 5 would also be heard at this time. Mr. Flatley provided a report on the conference.

5. COUNCILMEMBER COMMENTS

COUNCILMEMBER SANTINI

SOUTH FLORIDA TRAILRIDERS. Councilmember Santini stated that she attended the South Florida Trailriders parade which was an incredible sight.

TOYS FOR TOTS. Councilmember Santini stated that she went to Markham Park where 30,000 Harley Davidson riders had the annual Toys for Tots run.

CHILDREN. Councilmember Santini stated that everyone needed to realize the meaning of this time of year for children and hoped everyone did random acts of kindness throughout the year.

DECORATIONS/LIGHTING. Councilmember Santini thanked the Public Works Department for the holiday decorations and recommended that the bridge be lit year round. She also recommended that the canal continue to be lit such as was done with Riverwalk in San Antonio, Texas.

MERRY CHRISTMAS. Councilmember Santini wished everyone a Merry Christmas.

COUNCILMEMBER KIAR

CONFERENCE. Councilmember Kiar provided a report on the conference. He discussed masks that allowed firefighters a better view during a fire; however, the masks cost \$25,000 each. Councilmember Kiar stated that he had discussed a fundraiser with Mickey Maros, owner of McDonald's, who was willing to donate prizes and asked that staff pursue this. No objections were noted.

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EMS. Councilmember Kiar read a letter that he received from Thomas Connick regarding exemptions from the EMS assessment fee for religious organizations. Mr. Webber advised that he had transmitted the letter to Sarah Bleakly, the Town's counsel on the assessment fee, for review. He added that he would provide a report to Council.

GROUNDBREAKING. Councilmember Kiar stated that Council had attended the groundbreaking of the Bergeron Rodeo Grounds entranceway.

HAPPY HOLIDAYS. Councilmember Kiar wished everyone happy holidays.

VICE-MAYOR COX

CONFERENCE. Vice-Mayor Cox also provided a report on the conference.

SAN ANTONIO RIVERWALK. Vice-Mayor Cox stated that the Riverwalk provided ideas to maximize the Town's assets.

TOUR. Vice-Mayor Cox stated that she met with Don Gutterson of the Florida Greensway Program who toured the Town.

LIGHTING OF THE GREEN. Vice-Mayor Cox complimented the Community Services and Public Works Department for the Town's Lighting of the Green ceremony.

PROGRESS. Vice-Mayor Cox reflected on the Town's progress over the past year and appreciated Council's efforts.

HAPPY HOLIDAYS. Vice-Mayor wished everyone happy holidays.

COUNCILMEMBER BUSH

CONFERENCE. Councilmember Bush provided a report on the conference.

LIGHTING OF THE GREEN. Councilmember Bush stated that this event was getting better every year and complimented staff.

HOLIDAY LUNCHEON. Councilmember Bush stated that he and Councilmember Kiar had attended the senior citizens tree decorating luncheon and the Soundtastics had provided the program.

HAPPY HOLIDAYS. Councilmember Bush wished everyone happy holidays.

MAYOR VENIS

CONFERENCE. Mayor Venis provided a report on the conference.

BIRTHDAY. Mayor Venis stated that today was his daughter's 13th birthday.

GROUNDBREAKING. Mayor Venis stated that he attended the groundbreaking for the Bergeron Rodeo Grounds entranceway.

POLICE ATHLETIC LEAGUE CHRISTMAS PARTY. Mayor Venis stated that the League's Christmas party would be held at Potter Park on December 19, 1996.

NOB HILL PALMS. Mayor Venis asked Assistant Town Administrator Robert Rawls to schedule a meeting with the residents of Nob Hill Palms regarding buffering concerns.

COMPLIMENTS. Mayor Venis complimented the Public Works Department on the decorations at Town Hall.

HAPPY HOLIDAYS. Mayor Venis wished everyone happy holidays.

3.4 Dianne Arndt, Police Officer - Ten Years

Mayor Venis presented Officer Arndt with a service award.

3.5 Mike Allen, Police Sergeant - Fifteen Years

Mayor Venis presented Sergeant Allen with a service award.

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3.6 Bruce Bernard, Chief Engineering Inspector - Fifteen Years
Mayor Venis presented Mr. Bernard with a service award.

3.7 Community Redevelopment Agency
Neal Kalis, Chairman, updated Council on the Agency's efforts and displayed drawings of two homes to be built in the Potter Park area.

Police Chief Jack Mackie presented a check in the amount of \$162,000 from forfeiture asset funds from the Drug Enforcement Administration. He announced that the Police Athletic League (PAL) received \$7,500 from Home Depot's sale of Christmas trees.

Chief Mackie advised that the Police Department had recently helped an individual recover stolen property and as a goodwill gesture, Kaz and Tim Woodcock donated a computer to the Town's Detective Bureau. He added that the Woodcock's had also agreed to "reoutfit" the computer center at the Eastside Community Center.

Mayor Venis stated that Independence Plumbing had provided approximately \$2,000 in services at the PAL building. He requested that certificates be provided to these individuals at an upcoming Council meeting.

Councilmember Santini questioned if the Police Department had a "wish list" for the Eastside Community Center and for PAL that could be published in the Town's newsletter. Chief Mackie stated that the American Legion donated \$50,000 as a starter fund for a new building; however, it was determined that the current facilities needed to be enhanced. He advised that the size of the park was being increased and Mr. Rawls and Community Services Director Sharon Pierce-Kent were working on a master plan. Chief Mackie added that an itemized list along with costs would be prepared which would be presented to the American Legion so it could determine what the \$50,000 was to be spent on. He indicated that the community would then be approached.

Mayor Venis advised that item 6.18 needed to be tabled until January 8, 1997.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to table [to January 8, 1997]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that items 8.9 and 8.11 needed to be tabled until January 22, 1997.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to table items 8.9 and 8.11 to January 22, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that items 8.12 and 8.13 needed to be tabled until February 5, 1997. Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to table [to February 5, 1997]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that item 8.14 needed to be tabled until January 8, 1997.

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Vice-Mayor Cox made a motion, seconded by Councilmember Bush, to table [to January 8, 1997]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

4. OCCUPATIONAL LICENSES

Home Occupational Licenses

4.1 Conquet Music Group, 4820 SW 70 Avenue

Gary Strider, the applicant, was present. He confirmed that the request was for mail and phone use only.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

4.2 Fertitta Roofing Systems, Inc., 2680 SW 155 Lane

Nick Fertitta, the applicant, was present. He confirmed that the request was for mail and phone use only.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

4.3 Watchman Alarm Monitoring, 4301 SW 77 Avenue

James Bailey, the applicant, was present. He confirmed that the request was for mail and phone use only.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

5. COUNCILMEMBER COMMENTS

This item was previously discussed.

6. CONSENT AGENDA

Minutes

6.1 November 6, 1996 - Regular Meeting

6.2 November 13, 1996 - Joint Meeting

6.3 November 20, 1996 - Regular Meeting

Resolutions

6.4 EXPRESS SHUTTLE - A RESOLUTION OF THE TOWN OF DAVIE,

R-96-380 FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A PROPOSED AGREEMENT WITH BROWARD COUNTY FOR PUBLIC TRANSPORTATION SERVICES FOR USE OF COUNTY BUSES TO PROVIDE AN EXPRESS SHUTTLE BETWEEN THE SOUTH FLORIDA EDUCATIONAL COMPLEX CAMPUSES AND DOWNTOWN DAVIE; REPEALING RESOLUTION NO. R-96-356; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 4, 1996)

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- R-96-381 **6.5 EXPRESS SHUTTLE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AN AGREEMENT WITH THE SOUTH FLORIDA EDUCATIONAL COMPLEX (SFEC) FOR OPERATION AND FUNDING OF AN EXPRESS SHUTTLE BETWEEN THE SOUTH FLORIDA EDUCATIONAL COMPLEX CAMPUSES, THE FORT LAUDERDALE TRI-RAIL STATION AND DOWNTOWN DAVIE; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 4, 1996)**
- R-96-382 **6.6 MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 94-278 FROM \$2,400 IN AMOUNT TO \$1,920; AND PROVIDING AN EFFECTIVE DATE. (Chong's Financial and Investment Group)**
- R-96-383 **6.7 MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 96-288 FROM \$7,500 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Goher Zaidi)**
- R-96-384 **6.8 EXTENDED TRAVEL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING EXTENDED TRAVEL FOR OFFICER ROBERT FRAILING OF THE DAVIE POLICE DEPARTMENT. (\$980 - Advanced Traffic Accident Investigation)**
- R-96-385 **6.9 EXTENDED TRAVEL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING EXTENDED TRAVEL FOR OFFICER JAY SEILER OF THE DAVIE POLICE DEPARTMENT. (\$1,065 - Traffic Accident Reconstruction)**
- R-96-386 **6.10 GRANT APPLICATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPLICATION FOR A GRANT FROM THE NATIONAL RECREATIONAL TRAILS FUNDING PROGRAM, ADMINISTERED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR THE DEVELOPMENT OF THE TRAIL ON THE BROWARD COUNTY FLAMINGO ROAD ENVIRONMENTALLY SENSITIVE LAND; AND PROVIDING AN EFFECTIVE DATE. (\$50,000 grant; \$130,000 in matching funds)**
- R-96-387 **6.11 CONSULTANT SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RANKINGS FOR CONSULTANT SERVICES TO PREPARE THE TOWN OF DAVIE'S CONSOLIDATED**

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PLAN AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT WITH THE HIGHEST RANKING FIRM. (Bermello-Ajamil & Partners, Inc., Community Redevelopment Associates of Florida, and Broward County Community Development Division.)

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- 6.12 PROJECT MANAGEMENT SERVICES - A RESOLUTION OF THE TOWN OF**
R-96-388 DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE DIVISION OF BUILDING CONSTRUCTION, DEPARTMENT OF MANAGEMENT SERVICES, STATE OF FLORIDA TO PROVIDE PROJECT MANAGEMENT SERVICES RELATED TO THE CONSTRUCTION OF THE NEW PUBLIC SAFETY COMPLEX.
- 6.13 GARAGE MAINTENANCE OPERATIONS - A RESOLUTION OF THE**
R-96-389 TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 5 TO THE CONTRACT BETWEEN THE TOWN AND MANAGED LOGISTICS SYSTEM, INC. FOR GARAGE MAINTENANCE OPERATIONS, AND PROVIDING FOR A TARGET BUDGET. (Managed Logistics Systems, Inc.)
- 6.14 EXTENDING THE BID - A RESOLUTION OF THE TOWN OF**
R-96-390 DAVIE,
FLORIDA, EXTENDING THE BID FOR JANITORIAL SERVICES FOR TOWN HALL. (Five Star Janitorial)
- 6.15 SUBDIVISION PLATS - A RESOLUTION OF THE TOWN OF**
R-96-391 DAVIE,
FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 4-4-96, Miele Subdivision, 2055 Flamingo Road) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report and including a bond for the recreational path along Flamingo Road in the canal easement if required by Engineering*
- 6.16 SUBDIVISION PLATS - A RESOLUTION OF THE TOWN OF**
R-96-392 DAVIE,
FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 5-1-96, Moccia Estates, 1710 SW 142 Avenue) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*
- 6.17 SUBDIVISION PLATS - A RESOLUTION OF THE TOWN OF**
R-96-383 DAVIE,
FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 9-1-96, Groves Park Phase 2, east side of SW 142 Avenue, north of

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Griffin Road) Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report

6.18 AQUACULTURE FACILITY - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO A MANAGEMENT AGREEMENT WITH NOVA SOUTHEASTERN UNIVERSITY FOR THE OPERATION OF AN AQUACULTURE FACILITY.

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- 6.19 AFTER SCHOOL PROGRAM - A RESOLUTION OF THE TOWN OF DAVIE,**
R-96-384 **FLORIDA, SUPPLEMENTING THE OPERATION OF THE SEAHAWK AFTER SCHOOL PROGRAM AND AUTHORIZING THE EXPENDITURE FROM THE DAVIE LAW ENFORCEMENT TRUST FUND ACCOUNT. (\$3,228)**
- 6.20 ISSUANCE OF REVENUE BONDS - A RESOLUTION OF THE TOWN OF**
R-96-385 **DAVIE, FLORIDA, AUTHORIZING THE ISSUANCE OF PUBLIC IMPROVEMENT REVENUE BONDS, SERIES 1996, OF THE TOWN OF DAVIE, FLORIDA, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000 FOR THE PURPOSE OF FINANCING OR REIMBURSING THE COST OF ACQUISITION, CONSTRUCTION OR EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS OF THE TOWN, AND PAYING COSTS OF ISSUANCE OF THE BONDS; AWARDING THE SALE OF THE BONDS TO FIRST UNION NATIONAL BANK OF FLORIDA; PROVIDING FOR SECURITY FOR THE BONDS; PROVIDING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**
- 6.21 CERTIFYING BILLBOARD SITES - A RESOLUTION OF THE TOWN OF**
R-96-396 **DAVIE, FLORIDA, CERTIFYING BILLBOARD SITES PURSUANT TO SECTION 12-238(J)(9) OF THE CODE OF THE TOWN OF DAVIE PURSUANT TO THE REQUEST OF THE BOYS AND GIRLS CLUB OF BROWARD COUNTY, INC. AND GOLD COAST ADVERTISING; AND PROVIDING AN EFFECTIVE DATE.**
- 6.22 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-96-397 **AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND PASADENA AT IMAGINATION FARMS, INC., PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY REQUIREMENTS RELATED TO THE IMAGINATION FARMS EAST PLAT AND THE ICE PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT.**
- 6.23 WAIVING FORMAL BIDDING AND AWARDING SERVICES - A**
R-96-398 **RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND AUTHORIZING THE AWARD OF CONSTRUCTION SERVICES TO W. JACKSON AND SONS CONSTRUCTION FOR CONSTRUCTION ADDITION TO THE COLLEGE AVENUE CORRIDOR IMPROVEMENT PROJECT.**

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6.24 VACATION OF RIGHT-OF-WAY/EASEMENTS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY AND EASEMENTS FOR PORTIONS OF WESTPARK WEST PARCEL, WESTPARK EAST PARCEL AND WESTPARK HOTEL SITE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 11-1-96, Poinciana Homes of Broward, Inc., 13900 State Road 84)

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6.25 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-2-96, Kerr/PIE Realty Investments, Inc., 6650 Stirling Road)

6.26 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-2 TO B-2; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-1-96, Gunster, Yoakley, Valdes-Fauli & Stewart/Poinciana Homes of Broward, Inc., 13700 Financial Boulevard)

6.27 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-1, B-2 and RM-5 TO RM-10 and CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-2-96, Goray Development Company/Chase Joint Venture, 10700 State Road 84)

6.28 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO M-2; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-3-96, Associated Engineers and Surveyors, Inc./Herndon, 5100 SW 48 Street)

6.29 REVISION TO A CONCEPTUAL MASTER PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE 96-006 BY CHANGING SECTION 1.b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-1-96, Atlantic Gulf Communities/Silverado Development Corp., 4300 SW 160 Avenue)

6.30 REVISION TO A CONCEPTUAL MASTER PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE 88-73 BY CHANGING SECTION 1.b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-4-96, Ridge Plaza Investment Holdings, Inc., 9000-9200 State Road 84)

Councilmember Santini asked that item 6.6 be removed from the Consent Agenda. Mayor Venis asked that item 6.23 be removed. Mr. Webber asked that item 6.20 be removed. Vice-Mayor Cox asked that item 6.21 be removed. Michele Mellgren.

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Director of Development Services, indicated that items 6.24 through 6.30 should be heard after the public hearings.

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Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to delay items 6.24 through 6.30 until after the public hearing. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

An unidentified man (Michael Davenport) asked that item 6.7 be removed.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve the Consent Agenda without items 6.6, 6.7, 6.20, 6.21, 6.23, 6.24, 6.25, 6.26, 6.27, 6.28, 6.29, and 6.30 [without item 6.18 which was earlier tabled to January 8, 1997]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.6 Councilmember Santini stated that the respondent was a repeat violator and suggested that this fine not be mitigated. Ms. Mellgren advised that staff was recommending that the second time a fine was mitigated for a commercial property, the fee should not be reduced more than 80% from the original fine with the third time having to pay the full fine.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.7 Michael Davenport, 14041 SW 22 Place, indicated that the previous discussion answered his question.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.20 Mr. Webber advised that there was a change to page 14, the paragraph regarding franchise fees and provided copies for Council's review.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve item 6.20. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.21 Vice-Mayor Cox stated that she had a problem with some of the billboard sites.

Councilmember Bush made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - no; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

6.23 Mr. Rawls advised that there was a change to the company who was providing the construction and advised that the title of the resolution had changed. He explained the agreement.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes.

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yes. (Motion carried 5-0)

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7. SITE PLANS

7.1 SP 8-1-96, New Warehouse for Seeber Construction, 4301 SW 60 Avenue (M-1) Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report

As the petitioner was not present, Ms. Mellgren asked that this item be moved to the end of the site plan portion of the meeting. There was no objection. (This item was later tabled to January 8, 1997.)

7.2 SP 8-5-96, CarMax/South 84 Plat, southwest corner of State Road 84 and SW 81 Terrace (CC) Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, the proposed landscaping changes, providing the appropriate notations on the plans, and, if pre-cast, that the wall be brought back before the Committee for further review

Jerry Knight, Paul McClellan and Jim Mollen, representing the petitioner, were present. Ms. Mellgren read the planning report.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.3 SP 9-4-96, Groves Park, between SW 142 Avenue and SW 136 Avenue, south of SW 26 Street (R-1 and A-1) Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, bringing back a sample of the pre-cast at signage review, and for Dan Oyler to meet with the landscape architect

Julian Bryan, representing the petitioner, was present. Gayle Easterling, Planning and Zoning Manager, read the planning report.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.4 SP 9-6-96, Northstar Estates, northeast corner of Hiatus Road at SW 23 Street (R-1) Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report

Gus Aguirre, representing the petitioner, was present. Ms. Easterling read the planning report. Mr. Aguirre explained the request.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.5 SP 9-8-96, Sessa Center, US 441 on the west side, north of Orange Drive (B-3) Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the landscaping revisions to place the Roval palms. spaced 30 foot on center to match the

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property to the south, with an overall height of 6 feet gray wood, placing any obstructing trees at or near the retention area; and, the planning report with the exception of the conditions placed on the property dealing with billboards; and having the Site Plan Committee review the proposed colors at its meeting of December 17, 1996; Site Plan Committee approved colors at its meeting of December 17, 1996

Joseph Rolls, representing the petitioner, was present. Ms. Mellgren read the planning report. Mr. Rolls advised that the petitioner was in general agreement with staff and added that the present owners were receptive to removing the billboards; however, the billboards were included in the lease agreement and the owners currently had no control over the lease. He stated that the petitioner "would like to continue the condition that the Planning and Zoning Board recommended which was not to tie the site plan approval to the billboard removal." Vice-Mayor Cox stated that she wanted documentation that the billboards were legally placed.

Vice-Mayor Cox made a motion, seconded by Councilmember Bush, to approve with the caveat that the Town pursue the removal of the billboards but to tie the removal to the site plan and subject to staff recommendations. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.6 SP 11-6-96, Health Professions Division Dental Facility, 3200 South University Drive (CF) Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report and the parking being resolved before building permits were issued

John Santulli and Tom Laubenthal, representing the petitioner, were present. Ms. Mellgren read the planning report. Mr. Laubenthal and Mr. Santulli explained the request.

Councilmember Bush made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.1 As the applicant was not present, Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to table the item until January 8, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - out of room; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

8. PUBLIC HEARINGS

8.1 VACATION/ABANDONMENT - VA 11-1-96, Poinciana Homes of Broward, Inc., 13900 State Road 84 (to vacate rights-of-way and easements) Planning and Zoning Division approved subject to Exhibit "A" attached to the planning report; Planning and Zoning Board approved subject to Exhibit "A" attached to the planning report

Courtney Callahan, representing the petitioner, was present and explained the request. Vice-Mayor Cox questioned the traffic circulation with an explanation being provided with by an unidentified man. Ms. Easterling read the planning report.

Mayor Venis asked if anyone wished to speak for or against the petition.

Arthur Joseph. 13700 SW 18 Court. spoke in opposition.

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Mayor Venis closed the public hearing.

Santiago Echemendia, representing the petitioner, discussed the acreage pursuant to the settlement agreement.

Vice-Mayor Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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6.24 Town Clerk Reinfeld read the ordinance - first reading by title.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that a public hearing on item 6.24 would be held on January 8, 1997.

8.2 REZONING - ZB 10-1-96, Atlantic Gulf Communities/Silverado Development Corp., 4300 SW 160 Avenue (from BP to BP, amending the Master Plan) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Jeff Katims, Planner, read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, an aerial and existing and amended conceptual master plans.

Bill Laystrom, representing the petitioner, discussed the rezoning.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.29 Town Clerk Reinfeld read the ordinance - first reading by title.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.3 REZONING - ZB 10-2-96, Kerr/PIE Realty Investments, Inc., 6650 Stirling Road (from B-2 to B-3) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Mr. Katims read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, an aerial, conceptual master plan and proposed use restrictions.

Leigh Kerr, representing the petitioner, explained the request.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.25 Town Clerk Reinfeld read the ordinance - first reading by title. Mayor Venis announced that a public hearing on item 6.25 would be held on January 8, 1997.

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Vice-Mayor Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.4 REZONING - ZB 11-1-96, Gunster, Yoakley, Valdes-Fauli & Stewart/Poinciana Homes of Broward, Inc., 13700 Financial Boulevard (from M-2 to B-2) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Town Clerk Reinfeld swore in the witnesses. As there were no individuals to speak in opposition to the rezoning, Ms. Mellgren offered the planning report into evidence and summarized the request.

Santiago Echemendia, representing the petitioner, explained the request.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.26 Town Clerk Reinfeld read the ordinance - first reading by title. Mayor Venis announced that a public hearing on item 6.26 would be held on January 8, 1997.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.5 REZONING - ZB 11-2-96, Goray Development Company/Chase Joint Venture, 10700 State Road 84 (from B-1, B-2 and RM-5 to RM-10 and CF) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

Town Clerk Reinfeld swore in the witnesses. Mr. Katims summarized the request with Mr. Webber indicated that the report would become part of the record.

Susan Motley, representing the petitioner, was present.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Councilmember Santini stated that Council had determined that the School Board's formula was not adequate and the Town was utilizing Art Whitman's formula. She recommended that the school concurrency be tied to the current cap for the Town and not for Broward County. Discussion followed.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - no. (Motion carried 4-1)

6.27 Town Clerk Reinfeld read the ordinance - first reading by title. Mayor Venis announced that a public hearing on item 6.27 would be held on January 8, 1997.

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Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - no. (Motion carried 4-1)

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8.6 REZONING - ZB 11-3-96, Associated Engineers and Surveyors, Inc./Herndon, 5100 SW 48 Street (from A-1 to M-2) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report*

No one needed to be sworn in. Mr. Katims offered the planning report into evidence and summarized the request.

Gus Aguirre, representing the petitioner, advised that the applicant concurred with staff recommendations.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.28 Town Clerk Reinfeld read the ordinance - first reading by title. Mayor Venis announced that a public hearing on item 6.28 would be held on January 8, 1997.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.7 REZONING - ZB 11-4-96, Ridge Plaza Investment Holdings, Inc., 9000-9200 State Road 84 (from B-3 to B-3, amending the Master Plan) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Town Clerk Reinfeld swore in a witness. Ms. Easterling offered the planning report into evidence and summarized the request.

An unidentified man, representing the petitioner, was present.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.30 Town Clerk Reinfeld read the ordinance - first reading by title. Mayor Venis announced that a public hearing on item 6.30 would be held on January 8, 1997.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.8 VARIANCE - V 9-4-96, Felicella/Oran Family Trust, 4851 Griffin Road (MH-10) (tabled from November 20, 1996) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board denied subject to the comment that if a guardrail was added to the variance request, the request would be approved*

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Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial.

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Dan Felicella, the petitioner, discussed the request. A lengthy discussion followed on the provision of a guardrail versus a wall.

Mr. Webber asked if anyone wished to provide testimony on the variance. No one spoke.

Mr. Webber stated that the hearing was concluded.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve subject to the owner putting in a guardrail along the pool area and sufficient foliage to cloth it from the view of the traffic passing by. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.9 **VARIANCE - V 10-2-96**, Gross/LDG Corp., 4490 SW 64 Avenue (B-2) (1 - to reduce the required lot size from 52,500 square feet to 18,303.8 square feet; 2 - to reduce the minimum lot depth from 200 feet to 104.81 feet on Davie Road and from 200 feet to 161.33 feet on Orange Drive; 3 - to reduce the required front setback from 10 feet to 0 feet along Davie Road; 4 - to reduce the required number of landscape islands after every 10 parking spaces from 1 landscape island to 0 landscape islands; 5 - to reduce the required landscape strip from 4 feet to 0 feet adjacent to the north property line and adjacent to the north building facade; 6 - to reduce the required open space ratio from 30% to 23.6%) *Planning and Zoning Division: 1, 2 and 3 approved subject to conditions and 4, 5, and 6 denied; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

8.10 **VARIANCE - V 11-1-96**, Ridge Plaza Investment Holdings, Inc., 9000-9200 State Road 84 (B-3) (to reduce the required side setback from 50 feet to 24 feet) *Planning and Zoning Division approved; Planning and Zoning Board approved*

No one needed to be sworn in. Ms. Easterling summarized the request.

An unidentified man, representing the petitioner, was present.

Mr. Webber stated that the hearing was concluded.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.11 STAFF REQUESTING A TABLING TO JANUARY 22, 1997

VACATION/ABANDONMENT - VA 1-2-96A, G. L. Homes of Davie Corporation, 3001 Nob Hill Road (to vacate a recreational path easement within Parcel "A" of the Buckram Oak Farm Plat) (tabled from November 20, 1996) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

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8.12 PLANNING AND ZONING TABLED TO JANUARY 29, 1997; COUNCIL CAN TABLE TO FEBRUARY 5, 1997

VARIANCE - V 6-3-96, Weiss/Duncan, south side of State Road 84 between Hiatus Road and Nob Hill Road (A-1) (tabled from November 6, 1996) Planning and Zoning Division approved; Planning and Zoning Board tabled to January 29, 1997

This item was tabled earlier in the meeting.

8.13 PLANNING AND ZONING TABLED TO JANUARY 29, 1997; COUNCIL CAN TABLE TO FEBRUARY 5, 1997

VARIANCE - V 10-1-96, Pinsker, 751 West Beckley Square (PRD 3.8) (to reduce the required building separation from 10 feet to 5.17 feet; to reduce the required rear setback from 12.5 feet to 10.39 feet; to increase the allowable area of a screen enclosed patio from 196.9 feet to 385.75 feet) Planning and Zoning Division approved; Planning and Zoning Board tabled to January 29, 1997 pending approval or disapproval of the request by the homeowner's association

This item was tabled earlier in the meeting.

Ordinances - Second and Final Reading

8.14 STAFF REQUESTING TABLING UNTIL JANUARY 8, 1997 IMPACT FEE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE TOWN OF DAVIE IMPACT FEE ORDINANCE FOR POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES FACILITIES; PROVIDING FOR A SHORT TITLE, AUTHORITY AND APPLICABILITY; PROVIDING FOR INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS AND RULES OF CONSTRUCTION; PROVIDING FOR THE IMPOSITION OF THE FAIR SHARE IMPACT FEE; PROVIDING FOR A FEE SCHEDULE; PROVIDING FOR ANALYSIS; PROVIDING FOR CREDITS; PROVIDING FOR REVIEW OF THE ORDINANCE AND FEE SCHEDULE; PROVIDING FOR ACCOUNTABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE. (tabled from November 6, 1996)

This item was tabled earlier in the meeting.

8.15 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-54 FLORIDA, AMENDING SECTION 16-5 OF CHAPTER 16 OF THE CODE OF THE TOWN OF DAVIE CONCERNING FALSE ALARMS; PROVIDING FOR ALARM REGULATION; PROVIDING THAT ALL VIOLATIONS OF THE SECTION ARE PROSECUTED AS CODE ENFORCEMENT VIOLATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

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Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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8.16 CHARTER AMENDMENTS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING VARIOUS PROVISIONS OF THE CHARTER OF THE TOWN OF DAVIE; PROVIDING FOR SUBMISSION OF SAME TO THE ELECTORATE AT THE MUNICIPAL GENERAL ELECTION TO BE HELD ON MARCH 11, 1997; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Mr. Webber advised that there had been a few changes to the ballot questions as was requested by Council.

Judy Paul, 14421 SW 24 Street, stated that checks and balances needed to be in place for staff. She discussed the public hearing portion of the meeting, sale of public property, and the substance abuse as a criteria for Council recall.

Dean Alexander, 13820 SW 16 Street, discussed the Board's efforts and thanked staff and Mr. Webber for their help.

Laurrelle Crawford-Kuvin, 2151 South Hiatus Road, stated that the Charter was suppose to provide checks and balances to protect the citizens. She said that checks and balances needed to be placed on the Town's staff as it was learned that there was favoritism, dishonesty and possible corruption. Ms. Crawford-Kuvin discussed the right to hire and fire employees, nepotism, transfer of appropriations, insurance, bonds, vacation/abandonment of streets, protection of the Fire Department, and the EMS provider.

Al Tyler, 8090 SW 19 Court, discussed competitive bidding and franchises. He said that since Council did not originally want a board to review the Charter, the Charter Review Board should never have been created.

Michael Davenport, 14041 SW 22 Place, he said that the previous speaker's comments were disturbing and asked Council to consider Ms. Paul's concerns.

Mayor Venis closed the public hearing.

Councilmember Santini accepted Ms. Paul's comments; however, she had major problems with Ms. Crawford-Kuvin's statements which she discussed. Vice-Mayor Cox stated that if Ms. Crawford-Kuvin wanted to make an accusation against an employee, she needed to provide the information to Council; however, Ms. Crawford-Kuvin's statement was nothing more than rumor. She indicated that Ms. Paul's comments beared merit and asked Mr. Webber to clarify the issue of drug abuse as a means of recalling Council. Mr. Webber advised that the Florida Statutes provided more general terms for grounds for removal while the Town's Charter specifically added provisions for removal. He indicated that the recommended change to the Town's Charter was to delete the provision and to rely on the Florida Statutes which could change at any time.

Councilmember Santini asked if there was still time for the Charter changes to make the ballot if Council made changes. Town Clerk Reinfeld advised that this ordinance could be deferred to the next meeting. Vice-Mayor Cox recommended that a workshop be held with the Charter Review Board to discuss staff's recommendation which Councilmember Santini disagreed with. Mayor Venis agreed that a workshop should be held. After some discussion, a workshop was scheduled for January 6, 1997 at 6:30 p.m.

Mr. Webber advised that Southern Bell had proposed an additional to the

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franchise portion of the Charter and explained the changes.

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Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve the change [relating to franchises]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Councilmember Santini made a motion, seconded by Councilmember Kiar, to table this item to January 8, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis closed the public hearing portion of the meeting.

9. APPOINTMENTS

9.1 Budget Advisory Committee (one exclusive appointment - Vice-Mayor Cox)

Vice-Mayor Cox reappointed Karen Willard.

9.2 Davie Water Advisory Board (one exclusive appointment - Councilmember Bush; two exclusive appointments - Vice-Mayor Cox)

Councilmember Bush reappointed Don Zane. Vice-Mayor Cox reappointed Dean Alexander and Cari Kresa.

10. DISCUSSION AND POSSIBLE ACTION

No item for action was brought before Council.

11. TOWN ADMINISTRATOR'S REPORT

POTENTIAL BUSINESS. Mr. Flatley stated that staff had made a proposal, along with several other municipalities, to a potential light industry business which would employ 300 individual and this business was interested in locating on the Silverado property. He indicated that the municipalities had agreed to participate in the Quality Target Industry Tax (QTI) which was a State tax program. Mr. Flatley advised that the QTI would require the Town to provide \$25,000 in matching monies; however, the Town would be receiving \$140,000 in revenue.

Mayor Venis asked if the number of employees had to be maintained for a certain number of years. Mr. Flatley responded that he thought this number was a mandate.

Councilmember Kiar questioned the breakdown on the types of jobs which Mr. Flatley indicated that he would provide.

12. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:36 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk

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